IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 752 OF 2007
IN
CRIMINAL APPEAL NO. 518 OF 2007

Sunil @ Balraj Munnalal Mathur ..Applicant

Vs.

The State of Maharashtra ..Respondent

Mr. S.V. Gavand for the applicant.
Mr. Y.M. Nakhawa, APP for State.

CORAM: B.H. MARLAPALLE, J.

Date : July 04, 2007.

P.C.:

1. Heard Mr. Gavand the learned counsel for the applicant who has been convicted and sentenced in Sessions Case No. 141 of 2006 by the Adhoc Additional Sessions Judge (I), Raigad for offence punishable under Section 328 of IPC, where as other two accused have been acquitted in the said case. The applicant has been sentenced to undergo RI for three years and to pay a fine of Rs.500/- in default further RI for one month. The learned counsel for the applicant

states that the fine amount has already been deposited.

2. It is also clear from the order of conviction and sentence that the applicant has been in jail since 21/5/2006 and, therefore, as of now he has undergone sentence of about one year and two months. The applicant is about 22 years of age. It will be, therefore, just and proper that he is released on bail by suspending the order of sentence under Section 389 of Cr.P.C.

3. Hence, the application is allowed and the applicant is directed to be released on bail pending Criminal Appeal No. 518 of 2007 on furnishing PR bond in the sum of Rs.10,000/- with one solvent surety for the like amount.

(B.H. Marlapalle,J.)